

REMARKS

Claims 2-13, 16, and 19-26 remain pending in the application. Claims 5-10, 21-24, and 26 have been objected to as depending upon a rejected base claim, but have been otherwise indicated as being allowable. Claims 2-4, 11-13, 16, 19, 20 and 25 have been rejected as being anticipated by Buchalter, US Patent No. 3,896,807.

Applicants gratefully acknowledge the recognition of claims 5-10, 21-24 and 26 as being allowable. However, it is believed that the remaining claims are also allowable over the cited reference. The Examiner has stated the rejection of claims 2-4, 11-13, 16, 19, 20 and 25 as follows:

Buchalter disclose articles such as a glove of topical use, in which the article is impregnated with an oil phase of a cream formulation... Column 3, lines 13-18 and 27-29 describe the different types of articles that can be employed in the invention. The composition of the article comprising an oil phase that when combined with water forms a cream that is impregnated into the article, along with the oil phase, column 5, lines 34-44 teaches additional ingredients that may be incorporated into the composition, i.e., stiffening agent. Column 2, lines 44-50 teach that dyes may be incorporated as well. It is the position of the examiner that when the composition is combined with the water then the composition would have low viscosity.

Applicants respectfully disagree with the Examiner's interpretation of the teachings of Buchalter. First, it is noted that the oil phase with which the articles of Buchalter are impregnated is expressly stated as being a "non-oily, non-tacky solid" (column 2, lines 15-16). To the extent this oil is stated as being impregnated in the Buchalter articles, this impregnated solid is not a "low-viscosity, otherwise unstable formulation" as required to be impregnated into the articles claimed in the present invention, a solid being the very antithesis of a low-viscosity formulation.

The examiner goes on to note that when the article containing the oil phase is contacted with water, it forms a cream that is impregnated in the article. However, this does not appear to be the teaching of Buchalter. Attention is drawn to Example 1, where it is noted that "the perspiration released by the hands causes a light cream coating to form on the hands". Thus, the cream that is formed is not intended, nor does it appear to be, impregnated into the article, but rather is deposited on the surface of the skin, not in the article.

Finally, even if one were to assume that the cream could be interpreted as being impregnated into the article, it clearly does not, contrary to the Examiner's position, constitute a low-viscosity formulation. First, given that the cream is formed by the emulsification of a liquid with a solid material, the chances of the resulting product being of low viscosity are slim. However, should there be any doubt as to the nature of the resulting product, the text of Buchalter

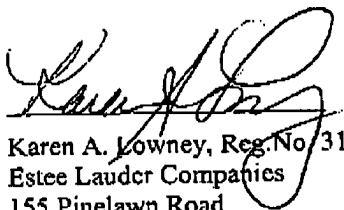
characterizes it as a cream, a product form that has a well-understood meaning in the formulation arts. Attention is drawn to the accompanying discussion of the meaning of "Creams" from *Remington's Pharmaceutical Sciences*, 18th edition. Creams are defined therein as "viscous liquid or semisolid emulsions"(emphasis added). Clearly, then, the end products that Buchalter discloses as being creams, whether or not they are impregnated into the articles, cannot be characterized as low-viscosity.

In summary, and as shown above, the Buchalter reference lacks any disclosure of a low-viscosity formulation impregnated into a non-rigid porous support, as is required by all the rejected claims. In the absence of this element of the present claims in Buchalter, there is no anticipation by this reference. Withdrawal of the rejection of claims 2-4, 11-13, 16, 19, 20 and 25, and the objection to claims 5-10, 21-24, and 26, is therefore respectfully requested.

CONCLUSION

All pending claims in the application are believed to be in condition for allowance, and prompt issuance of a Notice of Allowance is respectfully solicited. The Examiner is encouraged to contact the undersigned by telephone if it is believed that discussion will resolve any outstanding issues.

Respectfully submitted,



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